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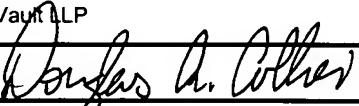
Total Number of Pages in This Submission

Application Number	10/764,621
Filing Date	January 26, 2004
First Named Inventor	Rolando M. Puno et al.
Art Unit	3733
Examiner Name	David C. Comstock
Attorney Docket Number	MSDI-292/PC1008.00

**ENCLOSURES (Check all that apply)**

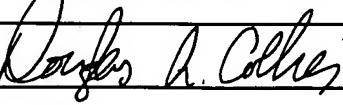
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Douglas A. Collier		
Date	March 27, 2009	Reg. No.	43,556

**CERTIFICATE OF TRANSMISSION/MAILING**

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent  
application of:  
Rolando M. Puno et al.

Serial No. 10/764,621

Filed: January 26, 2004

METHODS AND INSTRUMENTS FOR  
INSERTING INTERVERTEBRAL GRAFTS.  
AND DEVICES



Before the Examiner:  
David C. Comstock

Group Art Unit:  
3733

March 27, 2009

Attorney Docket Ref.:  
MSDI-292/PC1008.00

**RESPONSE TO NON-FINAL OFFICE ACTION**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

In response to the Non-Final Office Action dated January 7, 2009, please consider the following. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time which may be necessary, and charge any fees which may be due, or credit any overpayments, to Deposit Account No. 12-2424, but not including issue fees.

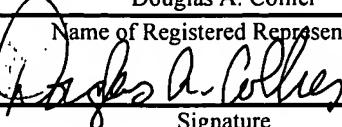
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